

## Proceedings of the Legislature

SENATE

NINTH DAY.

WEDNESDAY, Oct. 24, 1866.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Whitfield.

Mr. Mosely from the Committee on Propositions and Grievances reported adversely to a resolution for the relief of certain citizens of Perry county.

Mr. Binford from the Committee on Internal Improvements made a report recommending that "the act to incorporate the East Mississippi Rail Road Company" be laid on the table until the third Monday in January.

Mr. Mosely from the Committee on Propositions and Grievances to whom was referred the memorial of A. K. Aiken reported a bill "to encourage the distillation of Tarptentines which was passed."

Mr. Hawkins from the committee on the Penitentiary to whom was referred "a bill to prevent horse stealing" recommended that the same lie over until the third Monday in January.

Mr. Binford from the Committee on Internal Improvements recommended that the bill "to incorporate the West Mississippi Rail Road Company" lie over until the third Monday in January.

Mr. Martin from the Judiciary Committee reported adversely to the bill in relation to the collection of fees in the Circuit and Chancery Courts of Hinds County.

Mr. Miller from the Committee on the Judiciary reported adversely to the bill "to change the venue upon issues made up in the State Courts."

Mr. Miller from the Judiciary Committee reported adversely to the House bill "to amend the exemption laws of this State."

Mr. Miller from the Judiciary Committee reported adversely to the House bill "to amend the laws in relation to the property of married women."

Mr. Miller from the Judiciary Committee reported in favor of House Bill "to legalize and confirm writs, warrants and process issued without seals." Bill passed.

Mr. Martin from a Joint Select Committee on the Chickasaw School fund asked to be released from the further consideration of the subject until the adjourned session in January.

Mr. Napier from a select committee, reported a bill to reduce the official bonds of certain county officers.

Mr. Martin offered an amendment, when on motion of Mr. Lowry, the bill and amendment were recommitted, with instructions to the committee to report a bill providing for a reduction of official bonds in such counties as may desire or require it.

Mr. Lyles offered a resolution that the Finance Committee be instructed to report a bill to provide a sufficient sum of money or securities to provide food for the suffering poor of this State for the year 1867.

Mr. Reid introduced a bill to amend the act concerning salaries and perquisites of the members of the Senate, etc., etc.

Bill passed.

On motion of Mr. Wilson, the vote passing the bill was reconsidered, and the bill being again put on its passage, was lost by the following vote:

Yeas—Messrs. Brooks, Hawkins, Lowry, M'Cargo, Miller, Robinson, Seal, Swett, and Wisdom—9.

Nays—Mr. Presiding; Messrs. Anderson, Binford, Brown, Cain, Hooker, Land, Lyle, Lyles, Martin, Montgomery, Mosely, Stone, Taylor, and Wolff—15.

The special order of the day, to-wit: the act to amend an act to establish council committees, was referred to the committee of the whole, Mr. Stephens in the chair.

Committee reported progress and asked leave to set again at 3 o'clock p.m., which was received and agreed to.

A message was received from the House announcing the passage of sundry bills.

On motion of Mr. Lowry, the Senate adjourned till 3 o'clock p.m.

3 O'CLOCK P.M.

Senate met pursuant to adjournment.

Motion of Mr. Reid, that portion of the Governor's message relative to the fund for the relief of families of soldiers be referred to a select committee of five, consisting of Messrs. Reid, Lyle, Lyles, Graham, Arnold and Lyles.

Mr. Mayson introduced a bill to provide for ascertaining the amount of indebtedness of certain counties on account of levees before erected, and for other purposes.

Report of the Select Committee on the subject of the bill on the subject of relief.

Mr. Lyle introduced a bill to encourage settlement between debtors and creditors. Referred to the Committee on Relief.

On motion of Mr. McLaurin, the House adjourned until 3 o'clock p.m.

THREE O'CLOCK, P.M.

The House met pursuant to adjournment.

Motion of Mr. Reid, that portion of the Governor's message relative to the fund for the relief of families of soldiers be referred to a select committee of five, consisting of Messrs. Reid, Lyle, Lyles, Graham, Arnold and Lyles.

Mr. Mayson introduced a bill to provide for ascertaining the amount of indebtedness of certain counties on account of levees before erected, and for other purposes.

Report of the Select Committee on the subject of the bill on the subject of relief.

Mr. Lyle introduced a bill to amend and portions of the act to recognize the militia of the State as relates to the election and tenure of office. Referred to the Committee on Military Affairs.

Mr. Heame offered the following resolution which was adopted:

Whereas, Hundreds of widows with small families have been compelled to abandon their homes and go to live with their fathers or relatives, and cannot live on their lands, and are thus liable to have their homesteads sold, and thus deprived of the benefits of the exemption act, from no fault of theirs, but from necessity; therefore,

Be it resolved, That the Select Committee on Military Affairs be instructed to inquire into the expediency of modifying the exemption laws of 1856 and 1857, so as to allow the heads of families to hold 160 acres of land free from taxation or distress &amp;c., whether they reside on such lands or not, and that they report by bill or otherwise.

Mr. Webb, of Amite, introduced the following bills:

The motion to postpone indefinitely was then lost by the following vote:

Ayes—Messrs. Anderson, Taylor, and Wise—3.

Nays—Mr. President, Messrs. Anderson, Binford, Brown, Cain, Hooker, Land, Lyle, Lyles, Martin, Montgomery, Mosely, Stone, Taylor, and Wolff—15.

The motion to amend an act to establish council committees, was referred to the committee of the whole, Mr. Stephens in the chair.

Committee reported progress and asked leave to set again at 3 o'clock p.m., which was received and agreed to.

A message was received from the House announcing the passage of sundry bills.

On motion of Mr. Lowry, the Senate adjourned till 3 o'clock p.m.

3 O'CLOCK P.M.

Senate met pursuant to adjournment and went into committee of the whole.

Mr. Stephens in the chair, resumed the consideration of the bill to amend the act to establish county courts. The committee of the whole, reported the bill back to the House with sundry amendments, and recomended its passage.

Mr. Binford moved to postpone the further consideration of the bill till the 3d Monday in January, which motion was lost.

On motion of Mr. Miller, the bill and amendments were laid on the table, and made the special order for to-morrow at 10 o'clock.

A message was received from his Excellency the Governor, announcing that he had approved and signed sundry State bills.

A message was also received from his Excellency the Governor, recommending the remission of the fine and forfeiture against Hezekiah Williams of Pike county.

Mr. Caudron introduced a bill to amend the charter of Magnolia, Pike county, which was passed.

On motion, the Senate adjourned until to-morrow 9 o'clock.

HOUSE OF REPRESENTATIVES.

NINTH DAY.

WEDNESDAY, Oct. 24, 1866.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Hinckley.

Journal of yesterday read and approved.

A message was received from the Senate announcing the passage of sundry Senate and House bills.

On motion of Mr. Martin, the Senate met again.

On his further motion, the House proceeded to consider the bill to create a new county, &amp;c.

Mr. Hudson moved to lay the bill upon the table, which was decided in the negative by the following vote:

Yea—Biddle, Bowen, Brown of Isaquena, Burress, Deason, Dotson, Hamilton, Hudson, Huffman, Kennedy, Kendall, Liddell, Lyle, Mayson, Meares, Merrill, Morris, Morris, McLaurin, Pease, Phillips, Reid, Webb of Franklin, Williams—24.

Nay—Mr. Speaker, Acker, Barry, Beauchamp, Blanchard, Bonner, Brown of Kenner, Brooks, Burrow, of Yalobusha, Burston, Cameron, Carter, Col, Custer, Duff, Estes, Gresham, Hanson, Hough, Hunt, Italy, James, Labane, Lowry, Lyle, Mayson, Morris, Marable, Martin, Milton, Montgomery, McElroy, McInnis, McRaney, McWhorter, Murdoch, Murray, Owen, Pound, Robertson, Seal, Shinnall, Simrall, Tinkler, Thompson, West, Wall, Walker, Webb of Amite—54.

On motion of Mr. Surratt, the bill was referred to the Committee on County Boundaries.

Mr. Simrall, by leave, called from the table House bill to change the time of holding the Probate Court of Wilkinson county. Passed.

Mr. Acker introduced a bill to amend an act in relation to officers and other persons having claims on the State Treasury. Referred to the Judiciary Committee.

Mr. Hillier, a bill to make certain appropriations thereto named, and for other purposes. Referred to Committee of Whole, &amp;c. and made the special order for to-morrow at 11 o'clock.

Mr. Mayson presented the petition of some citizens of Bolivar county, to relieve the duties of W. E. Stark, late Sheriff. Referred to the Committee on Propriations and Taxes.

Kendall introduced a bill to facilitate business of the Circuit Courts in this state.

Referred to the Judiciary Committee.

Blanchard, a bill to change the rule in cases therein named. Referred to Committee.

On motion of Mr. Kendall, the Senate messages were taken up.

On his further motion, the House concurred in the Senate's amendments to House bill "to increase the salary of the Probate Judge of Hancock county, and for other purposes."

On motion of Mr. Kendall, the House carried in Senate amendments to House bill "to reduce the price of swamp and overflowed lands to Perry county."

The counties of Lowndes, Madison, Holmes, Adams and Oktibbeha were added, by way of amendment, to the Senate bill to protect citizens of Jefferson county, and the bill passed.

On motion of Mr. Surratt the bill to create the office of State Engineer, &amp;c., was taken from the table.

On motion of Mr. Lewis the House resolved itself into Committee of the Whole for the further consideration of said bill.

Mr. Lewis of Clarksburg in the Chair.

After some time spent therein the Committee rose, reported the bill back with sundry amendments and recommended the passage of the same.

On motion of Mr. Surratt the bill to create the office of State Engineer was passed.

On motion of Mr. Lewis, House messages were taken up.

A message was received from the House announcing the passage of sundry bills.

Mr. Miller moved to take up the special order which was the act to amend the Constitution of the State.

The Senate bill to authorize the reception of certain Auditor's warrants in payment of the special tax due the State was on motion of Mr. Labane, referred to the Committee on Ways and Means.

The Senate bill to increase the compensation of Assessors was on motion of Mr. Duff referred to the Committee on Ways and Means.

The Senate bill to incorporate the North Mississippi Savings Institution, was passed.

On motion of Mr. Lewis, the further consideration of the Senate messages was deferred.

On his further motion, the House resolved itself into Committee of the Whole for the consideration of the bill pending at adjournment yesterday evening.

Mr. Surratt in the Chair—after some time spent therein, the Committee rose, reported the bill back with sundry amendments, and recommended the passage of the same.

On motion of Mr. Lewis, House messages were taken up.

A message was received from the House announcing the passage of sundry bills.

On motion of Mr. Lewis, the House adjourned until to-morrow morning 9 o'clock.

Joint resolution passed by both Houses of the Legislature at the present session, has put it beyond the power of the Legislature to change the time of adjournment to any other time than that set by the said joint resolution. The question of order was decided by the President, and the resolution declared out of order. From which decision Mr. Taylor appealed to the Senate and the decision was sustained by the following vote:

Yeas—Messrs. Brown, Hawkins, Hooker, Jackson, Land, Lyle, Martin, McCargo, Montgomery, Mosely, Napier, Robinson, Seal, Stephen, Stone, and Swett—16.

Nays—Arnold, Barry, Beams, Burrows, Cameron, Cole, Crispwell, Darden, Hudson, Kennedy, Kendall, Labane, Lewis, Lyle, Manning, Meares, Merrill, Morphis, McKinney, McLaurin, Powers, Reid, Shannon, Suratt, Williams—25.

On motion of Mr. Surratt the bill to create the office of State Engineer, &amp;c., was taken from the table.

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Mr. Surratt in the Chair—after some time spent therein, the Committee rose, reported the bill back with sundry amendments, and recommended the passage of the same.

On motion of Mr. Lewis, House messages were taken up.

A message was received from the House announcing the passage of sundry bills.

On motion of Mr. Lewis, the House adjourned until to-morrow morning 9 o'clock.

SENATE

TENTH DAY.

THURSDAY, Oct. 25, 1866.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Hinckley.

Journal of yesterday read and approved.

Mr. Simrall from the committee on Relief reported favorably, with amendments to the bill to regulate final process on judgments in Justice's Courts. Agreed to, and the bill made the special order for to-day at 11 o'clock.

On motion of Mr. Surratt the bill to create the office of State Engineer, &amp;c., was taken from the table.

A message was received from the House announcing the passage of sundry bills.

Mr. Taylor presented a petition from sundry citizens of Jackson. Referred to Committee on Propositions and Grievances.

Mr. Robinson obtained leave of absence for Mr. Wilson.

Mr. Land, from a select committee, reported adversely to the passage of sundry bills.

Mr. Taylor presented a petition from sundry citizens of Holly Springs in reference to allowing E. A. Thomas, of that place, to retain spirituous liquors. Referred to Committee on Propriations and Grievances.

Mr. Wilson obtained leave of absence for Mr. Wilson.

Mr. Land, from a select committee, reported adversely to the passage of sundry bills.

Mr. Taylor presented a petition from sundry citizens of Jackson. Referred to Committee on Propriations and Grievances.

Mr. Wilson obtained leave of absence for Mr. Wilson.

Mr. Land, from a select committee, reported adversely to the passage of sundry bills.

Mr. Taylor presented a petition from sundry citizens of Holly Springs in reference to allowing E. A. Thomas, of that place, to retain spirituous liquors. Referred to Committee on Propriations and Grievances.

Mr. Wilson obtained leave of absence for Mr. Wilson.

Mr. Land, from a select committee, reported adversely to the passage of sundry bills.